

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Advocate Fee - Sanction of an amount of Rs.1,37,500/- towards appearance, conference and clerkage to Sri Rakesh Dwivedi, Senior Advocate, Supreme Court of India, in the case of M/s Tata Teleservices – Orders – Issued.

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REVENUE (CT.IV) DEPARTMENT

G.O.Rt.No.861

Dated.4.7.2009.  
Read

From the CCT's Ref. No. LI (3)/15/2009-2,dt.13.4.2009

. ORDER:

In the letter read above the Commissioner of Commercial Taxes, Hyderabad has stated that M/s. Tata Tele Services Ltd., are registered dealer in Abids division. The Asst. Commissioner (LTU), abids has audited the dealer and passed orders for the period from April, 05 to March, 06 and April, 06 to March, 07 in the proceedings dt.31.12.2008 and raised demand of Rs.12,02,20,876/- and Rs.17,62,70,299/- respectively. The total demand of tax is Rs.29,64,91,175/- Aggrieved by the above order, the dealer has filed W.P.M.P. No.1292/2009 in W.P.No.1016/2009 before the Hon'ble High Court of A.P. and the High Court passed the following order on 29.1.2009.

“Looking to the facts of the case, it is directed, by way of ad-interim relief, that there shall be stay with regard to recovery of the amount covered by the impugned order dt.31.12.2008 subject to a condition that the petitioner pays one-third of the disputed tax under the impugned order dated 31.12.2008 within eight weeks from today. It is clarified that if any amount has already been paid, the same shall be given credit to”.

2. The C.C.T., has further stated that the Special Officer to Advocate on Record, New Delhi was requested to file CAVEAT PETITION in the Supreme Court of India preventing the petitioner from obtaining any ex-parte stay order in this regard. The Spl.Officer to Advocate on Record, New Delhi has filed the caveat petition in the Supreme Court of India, New Delhi on 5.3.2009. M/s Tata Teleservices Ltd., filed SLP against the orders of the High Court dt.29.1.2009 in W.P.M.P.No.1292./2009 in W.P.No.1016/2009. The Supreme Court of India, New Delhi dismissed the Special Leave Petition on 24.3.2009 with the following order as under.

“Taken on Board.  
Heard learned counsel for the parties.  
We do not find any ground to interfere with the impugned order.  
The Special Leave Petition is, accordingly, dismissed.  
However, time granted by the High Court for making the deposit is extended to 15<sup>th</sup> April, 2009”.

P.T.O.

3. The C.C.T., has further stated that the Special Officer to Advocate On Record, New Delhi has informed that Sri Rakesh Dwivedi, Senior Advocate has been engaged by Sri T.V.George, Advocate On Record. Sri Rakesh Dwivedi, Senior Advocate has given a pre-receipted bill No.206/2008-09, dt.25.3.2009 for Rs.1,37,500/- (Rupees One Lakh, Thirty Seven Thousand and Five Hundred only) towards fee for appearance and conference including clerkage in the case of M/s Tata Teleservices on 24.3.2009. The C.C.T., has further stated that in view of the urgency and huge tax involvement in this case for an amount of Rs.29.64 Crores and to protect the State Revenue, the Government is requested to accord necessary sanction orders for payment of the above fee bill of Sri Rakesh Dwivedi, Senior Advocate for an amount of Rs.1,37,500/-

4. After careful examination, Government hereby accord administrative sanction for payment of an amount of Rs.1,37,500/- (Rupees One Lakh, Thirty Seven Thousand and Five Hundred only) towards appearance and conference including clerkage in the case of M/s Tata Teleservices, to Sri Rakesh Dwivedi, Senior Advocate, Supreme Court of India, New Delhi.

5. This order issues with the concurrence of Finance Department vide their U.O.No.5666-FP(R&E)/09, dt.03.06.2009.

6. The Commissioner of Commercial Taxes, A.P., Hyderabad shall take necessary action accordingly.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH )

ASUTOSH MISRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Commercial Taxes, Hyderabad.  
The Pay & Accounts Officer, A.P.Hyderabad.  
The Accountant General,A.P.Hyderabad.  
Copy to:-  
The Finance (Expr.Rev.)Department.  
The Law (L) Department.  
SF/SC.

//FORWARDED BY ORDER //

SECTION OFFICER